CITY OF KIRKLAND
Department of Public Works
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To: Kurt Triplett, City Manager

From: Joel Pfundt, AICP CTP, Transportation Manager
Kathy Brown, Public Works Director

Date: September 6, 2016

Subject: NO PARKING IN BIKE LANES

RECOMMENDATION:

City Council adopts the enclosed ordinance prohibiting parking in bike lanes.

The enclosed ordinance is unchanged from the ordinance that was presented to City Council at its August 16, 2016 meeting. By taking action on this memo during approval of the consent calendar, City Council is amending the Kirkland Municipal Code (KMC) to prohibit parking in bike lanes.

BACKGROUND DISCUSSION:

The Transportation Element of the Comprehensive Plan calls for adding new, and improving existing, on-street bicycle facilities (Policy T-2.2), as well as making existing bicycle facilities safer (Policy T-2.1) and more convenient (Policy T-2.4). When cars park in bike lanes, the area for biking is effectively narrowed, making it less comfortable and safe for cyclists. In some cases, parked cars in the bike lane forces people riding bicycles to move into the vehicle lanes. Bicyclists and drivers typically do not expect cars to be parked in bike lanes, and drivers do not always anticipate a cyclist's maneuver into or near the driving lane to avoid a parked car. These circumstances can create hazardous situations for all users of the City's transportation network.

Parking in bike lanes continues to be a routine complaint from people who ride bikes, although these complaints are generally confined to a handful of recurring areas. Currently, the Kirkland Police Department is unable to cite vehicles parking in bike lanes because the KMC does not prohibit parking in bike lanes. So, these problem areas persist. Therefore, a change to the KMC is being proposed that will specifically prohibit such parking in order to improve the bicycling environment.

Proposed Ordinance

The attached ordinance would amend KMC 12.45.320 to make it illegal to park a vehicle in a designated bike lane. Violators would be cited with a $45-fine.

The ordinance defines bike lanes as an on-street path or bike lane designated by official signs or markings. The City does not sign all bike lanes because the additional signage significantly increases visual clutter and maintenance costs, while not significantly increasing awareness or effecting behavior. In unique cases, the City does include signage when needed.

The ordinance also includes an exception for "minor incidental encroachment from adjacent designated parking." This exception is included to provide Police with discretion when enforcing the ordinance because, in some cases, the vehicle encroachment may be so minor as to not be a factor in the cyclist's experience while using the bike lane. In other instances, the vehicle may not fit entirely within the adjacent on-street parking stall.

Additionally, much like a vehicle travel lane or sidewalk, bike lanes can be closed for special events or construction if a permit is issued by the City.

Next Steps

If adopted by City Council, the initial focus would be on educating the public on the importance of keeping bike lanes clear and safe. As part of this education effort, the City would send out information to the community about the new ordinance in the form of a press release and inform cyclists of what they should do in order to report a problem. Also, officers will issue warnings instead of citations to violators for one month after City Council approves the ordinance.

Additionally, City staff will be improving bike lane channelization based on City Council and community feedback. This will include increasing the number and frequency of bike lane markings painted in the bike lanes to ensure that people know that a particular facility is a designated bike lane. An example of this situation is along Lake Washington Boulevard, where the Public Works Department will be adding bike lane markings to decrease the distance between markings. City staff will also be evaluating particular locations where bike lanes and parking create conflicts and working with neighbors to ensure people riding bikes have a safe, comfortable and continuous bike lane whenever possible. Two specific locations that will be evaluated are on Forbes Creek Drive where the westbound bike lane disappears for a brief stretch to accommodate parked vehicles, forcing bike riders to weave into the vehicle travel lane. The other location is the vehicle parking on 124th Avenue NE between NE 80th Street and NE 85th Street, which currently is too narrow making it impossible for most vehicles to park here without encroaching into the bike lane.

ORDINANCE O-4529

AN ORDINANCE OF THE CITY OF KIRKLAND PROHIBITING PARKING IN BICYCLE LANES.

The City Council of the City of Kirkland do ordain as follows:

Section 1. Section 12.45.320 of the Kirkland Municipal Code is amended to read as follows:

12.45.320 Stopping, standing, or parking prohibited in specified places—Reserving portion of highway prohibited.

(a) Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer or official traffic control device, no person shall:

(1) Stop, stand, or park a vehicle:

(A) On the roadway side of any vehicle stopped or parked at the edge or curb of a street;

(B) On a sidewalk or street planting strip;

(C) Within an intersection;

(D) On a crosswalk;

(E) Between a safety zone and the adjacent curb or within thirty feet of points on the curb immediately opposite the ends of a safety zone, unless official signs or markings indicate a different no-parking area opposite the ends of a safety zone;

(F) Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic;

(G) Upon any bridge or other elevated structure upon a highway or within a highway tunnel;

(H) On any railroad tracks;

(I) In the area between roadways of a divided highway including crossovers;

(J) At any place where official signs prohibit stopping; or

(K) On any on-street path or lane designated by official signs or markings for the exclusive use of bicycles; except when such stopping, standing or parking causes only minor incidental encroachment into an on-street path or lane designated for the exclusive use of bicycles by official signs or markings.

(2) Stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers:

(A) In front of a public or private driveway or within five feet of the end of the curb radius leading thereto;

(B) Within fifteen feet of a fire hydrant;

(C) Within twenty feet of a crosswalk;

(D) Within thirty feet upon the approach to any flashing signal, stop sign, yield sign, or traffic control signal located at the side of a roadway;

(E) Within twenty feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within seventy-five feet of said entrance when properly signposted; or

(F) At any place where official signs prohibit standing.

(3) Park a vehicle, whether occupied or not, except temporarily for the purpose of and while actually engaged in loading or unloading property or passengers:

(A) Within fifty feet of the nearest rail of a railroad crossing; or

(B) At any place where official signs prohibit parking.

(b) Parking or standing shall be permitted in the manner provided by law at all other places except a time limit may be imposed or parking restricted at other places, but such limitation and restriction shall be by city ordinance or county resolution or order of the secretary of transportation upon highways under their respective jurisdictions.

(c) No person shall move a vehicle not lawfully under his or her control into any such prohibited area or away from a curb such a distance as is unlawful.

(d) It shall be unlawful for any person to reserve or attempt to reserve any portion of a highway for the purpose of stopping, standing, or parking to the exclusion of any other like person, nor shall any person be granted such right.

(e) Unless otherwise specified by state law or city ordinance, the penalty for prohibited stopping, standing or parking in specified places shall be forty-five dollars.

Section 2. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication, as required by law.

Passed by majority vote of the Kirkland City Council in open meeting this ____ day of _____, 2016.

Signed in authentication thereof this ___ day of _____, 2016.

_____
MAYOR

Attest:

_____
City Clerk

Approved as to Form:

_____
City Attorney